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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

7 DAVID WHITSETT,

8 Plaintiff,

9 v.

10 BRAND ENERGY SOLUTIONS LLC; et al.,

11 Defendants.

NO. 2:17-cv-01236-RSM

STIPULATED MOTION AND
ORDER REVISING CASE CAPTION,
DISMISSING CERTAIN DEFENSES,
AND DISMISSING UNRELATED
DEFENDANTS

12
13 **STIPULATED MOTION**

14 Pursuant to LCR 7(d)(1) and LCR 10(g), the parties hereby stipulate and move the Court
15 as follows:

16 1. Defendant Brand Energy Solutions LLC recently changed its name to
17 BrandSafway LLC (see documentation attached as **Exhibit A** hereto). The parties stipulate and
18 agree that the case caption should be amended to reflect the name change of defendant Brand
19 Energy Solutions LLC to **BrandSafway LLC**.

20 2. Defendant BrandSafway LLC admits that it provided the scaffolding involved in
21 the occurrence alleged in plaintiff's Complaint, and it waives any affirmative defense that any
22 other persons/entities bear fault in this matter, with the exception of the Plaintiff. Defendant
23 BrandSafway LLC specifically agrees to withdraw affirmative defense numbers 5 and 6 (see Dkt.
24 #4).
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1 3. The parties stipulate and agree that there is no evidence that any of the other
2 defendants named in plaintiff's complaint have any involvement in the occurrence alleged in
3 plaintiff's Complaint. Accordingly, the parties stipulate to dismiss all other named defendants
4 with prejudice and without costs or attorney's fees, leaving BrandSafway LLC as the sole
5 remaining defendant.

6 It is so stipulated through counsel of record.

7 DATED this 13th day of July, 2018

8 FISHER & PHILLIPS, LLP

9 RUSSELL & HILL, PLLC

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1 **ORDER**

2 Based upon the stipulation of the parties above, IT IS HEREBY ORDERED that:

- 3 1. The case caption shall be revised to reflect the name change of defendant Brand
4 Energy Solutions LLC to BrandSafway LLC.
- 5 2. All claims against the remaining named Defendants in this matter, with the
6 exception of BrandSafway LLC, are hereby dismissed with prejudice and without
7 the award of attorney's fees or costs.
- 8 3. Defendant BrandSafway LLC's affirmative defenses numbers 5 and 6 (as set forth
9 in Dkt. #4) are dismissed with prejudice.
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12 DATED this 16th day of July, 2018.

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15 RICARDO S. MARTINEZ
16 CHIEF UNITED STATES DISTRICT JUDGE
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